

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

BRIAN KEITH ALTON,

Defendant.

CASE NO. CR07-5446 BHS

ORDER

This matter is before the Court on Brian Alton's motion for early termination of supervised release, Dkt. 106.

Following Alton's guilty plea to one count of possession of child pornography, Judge Ronald B. Leighton sentenced Alton to 63 months of imprisonment and 20 years of supervised release. Dkts. 82, 89, 91. Alton's term of supervised release commenced on June 24, 2013. Dkt. 107 at 1. It is set to expire on June 23, 2033. *Id.*

Alton moves for early termination of supervised release, asserting that he has completed sex offender counseling, passed every polygraph examination that he has taken, maintained gainful employment, and sustained prosocial relationships with his adult children. Dkt. 106 at 1. Alton recognizes that he was convicted of a committing the

1 | misdemeanor of disorderly conduct in 2018 and that he impermissibly “accessed adult-
2 | themed sexually explicit material on YouTube” in 2020. *Id.* at 2, 4; *see* Dkt. 107 at 1.
3 | Alton’s motion is supported by his treatment provider, who describes the incident in 2020
4 | as a “minor lapse” that he subsequently successfully addressed through further treatment.
5 | Dkt. 106 at 1, 4.

6 | The Probation Office opposes Alton’s motion “because of the nature and
7 | circumstances of the instant offense.” Dkt. 107 at 2. However, it explains that Alton “has
8 | performed well on supervision,” “has prosocial support in his life,” “continues to have
9 | positive relationships with his family, which includes his mother and siblings,” and “is
10 | employed and has a stable residence.” *Id.* at 2. In a supplemental response, the Probation
11 | Office states that Alton’s “risk per the risk assessment tool is low-moderate,” but that his
12 | treatment provider characterizes Alton as being of low risk to reoffend. Dkt. 110 at 1.

13 | The Government also opposes Alton’s motion. Dkt. 108. It acknowledges that
14 | “Alton has done well on supervision,” but asserts that Alton could benefit from remaining
15 | on supervision. *Id.* at 2. It also contends that “[t]here is little benefit to ending Alton’s
16 | supervision, but there is much risk.” *Id.*

17 | This Court has routinely encouraged those on supervised release to perform well.
18 | It has explained that there can be rewards for compliance and negative consequences for
19 | violations of conditions of supervised release. In this case, the granting of Alton’s motion
20 | is warranted. Alton has performed well during the ten years that he has been on
21 | supervised release. He has demonstrated that he is a productive law-abiding citizen and,
22 |

1 according to his treatment provider, he presents a low risk to reoffend. His term of
2 supervision is therefore terminated.

3 Therefore, it is hereby **ORDERED** that Alton's motion for early termination of
4 supervised release, Dkt. 106, is **GRANTED**.

5 Dated this 22nd day of August, 2023.

6
7 

8 BENJAMIN H. SETTLE
9 United States District Judge
10
11
12
13
14
15
16
17
18
19
20
21
22